

REMARKS

The office action mailed on Nov. 2, 2005, indicates that the reply filed on June 21, 2005, is not fully responsive to the prior Office Action because the reply does not present sufficient arguments to meet the requirements of 37 CFR 1.111 with respect to the newly added claims 53-56. 37 CFR 1.111 states that “[t]he reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references.” The following comments are intended to supplement the reply:

New claim 53 is believed to be patentable at least because it recites that “the means for generating the design for the backup interconnect fabric determines feasibility of merging candidate flow sets based on a sum of flow requirements in the candidate flow sets that are interrupted by a single failure in the primary interconnect fabric.” It is believed that the applied references do not teach or suggest such a limitation.

New claim 54 is believed to be patentable at least because it recites that “the means for generating the design for the backup interconnect fabric determines feasibility based on a highest sum of flow requirements in the candidate flow sets that are interrupted by different failures in the primary interconnect fabric.” It is believed that the applied references do not teach or suggest such a limitation.

New claim 55 is believed to be patentable at least because it recites that “the means for generating the design for the backup interconnect fabric determines feasibility of merging candidate flow sets based on a sum of flow requirements in the candidate flow sets in the primary interconnect fabric that are interrupted by occurrence of a single failure mode in the primary interconnect fabric.” It is believed that the applied references do not teach or suggest such a limitation.

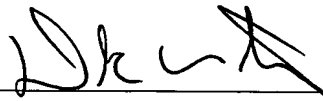
New claim 56 is believed to be patentable at least because it recites that “the means for generating the design for the backup interconnect fabric determines feasibility of merging candidate flow sets based on a highest sum of flow requirements in the candidate flow sets in the primary interconnect fabric that are interrupted by occurrence of different failure modes in the primary interconnect fabric.” It is believed that the applied references do not teach or suggest such a limitation.

Conclusion:

In view of the above, the applicants submit that all of the pending claims are now allowable. Allowance at an early date would be greatly appreciated. Should any outstanding issues remain, the examiner is encouraged to contact the undersigned at (408) 293-9000 so that any such issues can be expeditiously resolved.

Respectfully Submitted,

Dated: Nov. 21, 2005

A handwritten signature in black ink, appearing to read 'Derek J. Westberg', is written over a horizontal line.

Derek J. Westberg (Reg. No. 40,872)